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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,647	08/30/2001	Graeme Antony Maisey	5017-8377	9397
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THOMPSON COBURN, LLP ONE FIRSTAR PLAZA SUITE 3500 ST LOUIS, MO 63101		•	EXAMINER	
			ALEXAND	ER, LYLE
			ART UNIT	PAPER NUMBER
			1743	
			DATE MAILED: 05/29/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eletrasize of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed efter SIX (b) MONTHS from eventional time and the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed efter SIX (c) MONTHS from eventional time and the set of state of the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed efter SIX (d) MONTHS from the maining date of this communication. If the period for reply is specified above is less than thinty (30) datable. If the period for reply is specified above is less than thirty (30) datable. If the period for reply is specified above, the maximum statutory period will apply and will explice SIX (d) MONTHS from the maining date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 13). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any same adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 11 March 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-27 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) Claim(s) 1-27 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) is/are objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are: a) approved b)				9				
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The IDS entered as paper 5 on the file face has a certification that it was mailed on 11/27/01, which precedes the 11/6/02 rejection. Upon consideration of this IDS, the following reference has been found pertinent. This will be a non-final rejection as it is not Applicants' fault the reference was not considered prior to the 11/6/02 Office action. The Office regrets any inconvenience this delay in consideration may have caused Applicant.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by WO 94/10558 (references as WO hereafter).

WO teaches a test device having a stack of disposable electrodes that are held in a stack by a spring. The electrodes are orientated and configured to engage the housing. Each electrodes contains all of the reagents necessary to perform an analysis which include biological fluids analysis for glucose and ethanol as well as environmental contaminants such as ammonia, chlorine, phenols and heavy metals. The last two paragraphs on page 2 through page 3 teach means to move the individual electrodes within the magazine, which have been read on the claimed transport member. Page 5 describes fig. 5 as having "O" ring seals that form an airtight seal and have been read on the claimed sealing means. The ejector means is taught as being able to restrain the electrodes from coming out of the magazine as well as having means to eject the electrodes and has been read on the claimed means to restrain the electrodes.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lyle A Alexander whose telephone number is 703-308-3893. The examiner can normally be reached on Monday, Wednesday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 703-308-4037. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9319 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

Lyle A Alexander Primary Examiner Art Unit 1743

May 28, 2003